

Menzel, and James Simms. The claimed invention was developed by James Leonard, Robert Menzel, and James Simms. The inventive entity for the subject matter of the '898 patent is different from the inventive entity for the claimed invention. Therefore, Applicants agree that the subject matter of the '898 patent was developed by another person.

The '898 patent is assigned to The Boeing Company. At the time the claimed invention was made, the inventors of the claimed invention were under an obligation to assign the claimed invention to The Boeing Company. This patent application has been assigned to The Boeing Company. Assignment to The Boeing Company of this patent application is recorded at reel 12397/frame no. 355. That is, the '898 patent and the claimed invention of this patent were, at the time the claimed invention was made, owned by The Boeing Company or subject to an obligation of assignment to The Boeing Company.

Applicants very respectfully submit that the conditions have been met for invoking 35 U.S.C. §103(c). Applicants agree that the subject matter of the '898 patent was developed by another person and qualifies as prior art under 35 U.S.C. §102(e). However, Applicants very respectfully submit that, under 35 U.S.C. §103(c), the '898 patent shall not preclude patentability because the '898 patent and the claimed invention were, at the time the claimed invention was made, owned by The Boeing Company or subject to an obligation of assignment to The Boeing Company.



25315

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- 2 -

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CONCLUSION

Applicants respectfully submit that all of the claims of the pending application are now in condition for allowance over the cited references. Accordingly, Applicants respectfully request withdrawal of the rejections, allowance, and early passage through issuance. If the examiner has any questions, the examiner is invited to contact the Applicants' agent listed below.

Respectfully submitted,

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25315

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